


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY  D.C.  
05 DEC 19 PM 3:42

THOMAS W. GOULD  
CLERK, U.S. DISTRICT COURT  
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|                           |   |                     |
|---------------------------|---|---------------------|
| UNITED STATES OF AMERICA, | ) |                     |
|                           | ) |                     |
| Plaintiff,                | ) |                     |
|                           | ) |                     |
| vs.                       | ) | CR. NO. 04-20139-Ma |
|                           | ) |                     |
| ANTHONY MARTIN,           | ) |                     |
| XAVIER MARTIN,            | ) |                     |
| PHYLENTHIAN MARTIN,       | ) |                     |
|                           | ) |                     |
| Defendants.               | ) |                     |

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**ORDER ON CONTINUANCE AND SPECIFYING PERIOD OF EXCLUDABLE DELAY**


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This cause came on for a report date on November 23, 2005. Defense requested a continuance of the trial date in order to allow for additional time to prepare.

The Court granted the request and continued the trial to the rotation docket beginning Tuesday, January 3, 2006 at 9:30 a.m. with a report date of Friday, December 23, 2005 at 2:00 p.m.

The period from November 23, 2005 through January 13, 2006 is excludable under 18 U.S.C. § 3161(h)(8)(B)(iv) because the interests of justice in allowing additional time to prepare outweigh the need for a speedy trial.

IT IS SO ORDERED this 19<sup>th</sup> day of December, 2005.

  
\_\_\_\_\_  
SAMUEL H. MAYS, JR.  
UNITED STATES DISTRICT JUDGE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 107 in case 2:04-CR-20139 was distributed by fax, mail, or direct printing on December 29, 2005 to the parties listed.

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Honorable Samuel Mays  
US DISTRICT COURT